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Attorneys for Plaintiff, Donna Corbello

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DONNA CORBELLO,

Plaintiff,

vs.

THOMAS GAETANO DEVITO, *et al.*,

Defendants.

Case No. 2:08-cv-00867-RCJ-PAL

**STIPULATION RE: TESTIMONY OF
EDWARD STRONG**

The parties hereby stipulate that Edward Strong, an officer of Dodger Theatricals Ltd.
who resides in New York City, New York, would give the following testimony if called to testify

1 at trial, and the jury should consider the following statements as having been made under oath by
2 Mr. Strong:

3 1. Edward Strong is the Secretary, Treasurer, and Co-Owner of Dodger Theatricals,
4 Ltd. (“Dodger”).

5 2. Edward Strong reaffirms the following facts from the “business structure”
6 stipulation previously read to the jury:

7 a. Defendants Fankie Valli, Robert J. Gaudio, Marshall Brickman, and Eric S.
8 Elice (collectively, “the Authors”) jointly own all relevant rights in the play
9 *Jersey Boys*.

10 b. The Authors conveyed to Defendant Dodger Theatricals Ltd. (“Dodger”) the
11 exclusive right to develop, produce and present the live stage production of
12 *Jersey Boys*, as reflected in a production agreement dated May 1, 2004 and
13 fully executed on or around October 12, 2005 (hereafter the “Production
14 Agreement”). This transfer of rights included rights Dodger obtained from
15 third parties, including rights obtained under the agreement that Frankie
16 Valli, Robert Gaudio, Nicholas Macioci, and Thomas DeVito executed some
17 time in 1999 (hereafter the “1999 Agreement”).

18 c. Attached as an exhibit to the Production Agreement was the 1999
19 Agreement. (Plaintiff’s Trial Exhibit No. 163.) The 1999 Agreement lapsed
20 on December 10, 2004.

21 3. Among other things, the 1999 Agreement conveyed certain life rights, including
22 the right to use name, likeness and biographies (from whatever sources) of Messrs. Massi and
23 DeVito to Messrs. Valli and Gaudio, in connection with the creation of *Jersey Boys*. The rights
24 transferred by Mr. DeVito pursuant to the 1999 Agreement reverted back to Mr. DeVito on
25 December 10, 2004, when the 1999 Agreement lapsed.

26 4. Sometime after the paid public performances of *Jersey Boys* began on Broadway
27 in October 2005, Dodger (or its licensee) has paid, and continues to make payments to Mr.
28 DeVito derived from the amount or percentage stated in the 1999 Agreement.

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2 IT IS SO STIPULATED:

3 By: /s/Robert H. McKirgan

4 Gregory H. Guillot
5 Robert H. McKirgan
6 Randall S. Papetti
7 Lawrence Kasten
8 Todd D. Erb
9 J. Christopher Jorgensen

10 *Attorneys for Plaintiff, Donna Corbello*

By: /s/David S. Korzenik

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Valli, Robert J. Gaudio, Marshall Brickman,
Eric S. Elice, Des Mcanuff, DSHT, Inc.,
Dodger Theatricals, Ltd., Jb Viva Vegas, L.P.,
Michael S. David, Jersey Boys Broadway L.P.,
Jersey Boys Records L.P., Skunk, Inc. And
Getting Home, Inc.*

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13 IT IS SO ORDERED.

14 
15 UNITED STATES DISTRICT JUDGE

16 DATED: Nunc Pro Tunc November 21, 2016
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CERTIFICATE OF SERVICE/NOTICE OF ELECTRONIC FILING

Pursuant to Local Rule 5-4, I certify that on November 21, 2016, I electronically filed and served the foregoing document using the Court's CM/ECF electronic filing system on all counsel of record in this matter.

/s/June Yourgulez